

CHAPTER 6

TRANSPORTATION OF DEPENDENT SCHOOL CHILDREN

6-1. General. This Chapter outlines DoD policy for providing transportation services in support of the education of dependents of DoD personnel and other children eligible to attend schools operated by the Department of Defense. Specific policies and procedures are provided for both the United States and overseas areas.

UNITED STATES

6-2. Scope. This section governs school transportation services for all DoD dependent students attending schools located in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, including the Trust Territory of the Pacific Islands and Midway Island as defined in paragraph 1-1.d. It also applies to the other children eligible to attend schools operated by the Department of Defense in Puerto Rico.

6-3. Authority

a. Pub. L. No. 81-874 (1950), as amended (reference (ee)), provides authority and eligibility criteria to extend Federal assistance to eligible local education agencies providing educational services for children residing on Federal property, including DoD installations.

(1) In consideration for this assistance, local education agencies providing transportation to school children in their districts must also provide transportation to school children residing on DoD installations that are located within their school districts.

(2) Should local education agencies lack the necessary facilities to provide transportation for children residing on DoD installations, transportation may be provided by the Department of Defense. The cost for such transportation may be reimbursed by the local education agency under current Department of Education policies.

b. 10 U.S.C. 2639 (reference (ff)) authorizes the use of appropriated funds to provide transportation for minor dependents to and from primary and secondary schools when the schools are not accessible by regular means of transportation.

6-4. Policy

a. DoD transportation facilities shall be used for transportation of dependent school children only as specifically provided in this Regulation.

b. Transportation may be provided to:

(1) Local public schools when the schools are not accessible or serviced by local school bus transportation.

(2) Nearby public schools, other than the local public schools
when:

(a) The nearby public school is not accessible; and

(b) The activity designated by the Assistant Secretary of Defense (Personnel and Readiness) as responsible for overseeing dependent education has determined that local public schools in which the children would normally be enrolled are unable to provide adequately for their education; that attendance at other public schools (to include public schools for the handicapped) in a nearby education agency district can be arranged; and that transportation is not available as described in subparagraph 6-3.a.(1), above.

c. Funds may be expended for transportation to public schools (local or nearby) only when an appropriate official of the local education agency advises that school transportation will not be provided by the local education agency. (See paragraph 6-3.a.(2), above.)

d. The walking distance between residence and school or between residence and designated bus stop shall be established for dependent children by local school authorities.

e. When more than one DoD installation is involved, transportation arrangements shall be coordinated by the dominant user to minimize required transportation resources.

f. Where it is necessary for a DoD Component to provide transportation for dependents to public schools or to schools operated on DoD installations for dependent children, written agreements shall be entered into with the local education agency as to the services and facilities to be furnished and the arrangements for reimbursement. (See paragraph 6-3.a.(2), above.)

g. Reimbursements shall be governed by DoD Directive 7220.9-M (reference (i)).

6-5. Authorized Services

a. Only one round trip per day to and from school is authorized for any one child.

b. Dependent school children may use available, regularly scheduled DoD transportation within and between installations when traveling to and from school to make connections with regular means of transportation. Similarly, special transportation may be provided within the installation if this would serve to make schools accessible by regular means of transportation.

c. Transportation may be provided to private schools within a reasonable distance when:

(1) The private school is not accessible and private school transportation, either with or without cost to the child, is not available; and

(2) The parent of the child submits a written request for transportation to the head of the installation concerned; and

(3) The head of the installation determines that:

(a) The public schools available in the locality are unable to provide an adequate education for the child or children concerned. An adequate education is considered one that meets the State certification and regional accreditation requirements;

(b) The motor vehicles authorized for transporting dependent school children to public schools have extra space and can convey those attending private schools without materially deviating from the established route to the public schools; or

(c) The DoD installation is so remotely located that the private school is not accessible by regular means of transportation;

d. DoD motor vehicle transportation will not be provided to students when adequate transportation is provided by the public school system;

e. Transportation services for handicapped students are authorized as described in paragraph 6-11.c., below.

6-6. Safety and Security

a. Student Conduct. School officials are responsible for the development and enforcement of standards of student behavior aboard school buses. Riding a school bus is a privilege. Should a student be reported for misconduct, corrective action may be taken, to include loss of his or her riding privilege.

b. Safety Reviews. Heads of installations and appropriate school officials are required to conduct periodic safety review of their school buses and of the loading and unloading areas. Contracts for school bus services should contain a provision for similar routine safety review of contractor motor vehicles and services.

c. Contingency Planning. Heads of installations shall work with appropriate school officials to develop and publish contingency plans for transporting students.

d. Safety Attendants, School Bus Monitors, and Security Personnel. The provisions of paragraph 6-13.d. also apply to school bus services supporting Section 6 Schools and Section 6 School Arrangements.

6-7. Exceptions. In special situations, Section 6 School officials may grant exceptions to the commuting area or walking distance criteria after full consideration of circumstances and the evaluation of alternatives. Requests for exception shall be initiated by the sponsor, endorsed by the local principal, and forwarded to the appropriate Section 6 Arrangement Superintendent or the Director of Section 6 Schools, as appropriate.

OVERSEAS AREAS

6-8. Scope. This section applies to all DoD-operated or non-DoD schools located outside of the United States. It also applies to such services for DoD dependents authorized to attend non-DoD schools outside the United States.

6-9. Authority. 20 U.S.C. 921 (reference (gg)) authorizes the Secretary of Defense to establish and operate a program to provide free public education through secondary schools for DoD dependents in overseas areas, including necessary incidental services.

6-10. Commuting Area. The school commuting area is defined as a specific geographic area formally designated for determining eligibility for transportation of dependent students to a DoD-operated school. School bus services will be provided to all authorized students residing within the commuting area in accordance with this Regulation. A map and/or a narrative description shall be used to identify the commuting area.

a. DoD-Operated Schools

(1) The DoD Dependents Schools (DoDDS) Regional Director, or designee, after consultation with the Installation or Community Commander, shall establish a commuting area for each primary school. The commuting area for a secondary school shall consist of the commuting areas for all primary schools included in the secondary school feeder plan.

(2) The commuting area shall be based on the availability of adequate housing within the proximity of the school. Elapsed travel time via designated modes of transportation from the farthest point within the area should not normally exceed 1 hour, except as authorized in section 6-14, below. The area need not be equal in distance from the school, nor need it be as far as 1 hour travel time. If sufficient adequate housing is available within a closer distance; e.g., 20 minutes, then that area should be designated as the commuting area. If a locality or section otherwise within the commuting area has difficult or unsafe access; e.g., during the winter, it may be excluded from the commuting area.

(3) The school commuting area shall be given widespread publicity by the Community Commander. Pertinent information on the area and a copy of the area map should be included in the community "Welcome Packet" and sponsor's information package. The significance of the school commuting area will be addressed during the inprocessing of all personnel, and again in the initial visit to the Housing Referral Office, so that each sponsor is well informed before looking for housing. The school commuting area and the established school bus routes should also be clearly marked on larger scale wall maps in the Housing Referral Office.

(4) Each incoming sponsor shall be required to certify in writing that he or she has been advised by the Installation or Community Commander regarding the commuting area and understands that, if family housing is obtained outside this area, transportation of any dependent student between residence and an existing school bus stop within the commuting area is the sponsor's responsibility. The certification will be filed in the Housing Referral Office for the length of the sponsor's tour and any extensions thereof.

b. Non-DoD Schools. In some locations, DoDDS may authorize students to attend a non-DoD school.

(1) When school bus service is included as part of the tuition services, the commuting area used by the non-DoD school will apply.

(2) When a non-DoD school does not provide transportation as part of the tuition services, a school commuting area shall be established and administered as described in section 6-10, above.

c. Walking Distance

(1) The walking distance is the distance a student may be required to walk between that student's primary residence and the school or designated bus stop. Normally, it should not exceed 1 mile for students in kindergarten through grade 6 and 1.5 miles for students in grades 7 through 12.

(2) Except for handicapped students as described in paragraph 6-11.c. below, school bus services will not be provided within the designated walking area around the school. To the degree possible, these areas shall be expanded and/or contracted to conform to natural boundaries such as a housing area, a neighborhood, etc.

6-11. Authorized Services

a. DoD-Operated Schools

(1) One round-trip to and from school may be provided each school day to dependent students enrolled in DoDDS schools who:

(a) Reside outside of the walking area of the school but within the designated commuting area of the school, or

(b) Reside outside of the walking area and the commuting area, but are transported at their own expense to an existing school bus stop within the commuting area.

(c) Transportation to/from home for lunch shall not be provided.

(2) Transportation normally shall be provided to/from centrally located bus stops in the area of the student's primary residence. When requested by the sponsor, parent or guardian, transportation may be provided to and/or from an alternate care provider such as a Child Development Center located within the commuting area. Changes in transportation service shall be held to a minimum. They may not be authorized on a day-by-day basis.

(3) Curb-to-curb transportation shall not be provided except as outlined in paragraph 6-11.c., below, for handicapped students.

(4) Students who are enrolled in a nonfederally-connected category may be transported on existing routes provided space is available on the route(s) to be used. The students shall not be provided with commuter passes or bus tickets instead of transportation in kind.

(5) Transportation may be provided to all students participating in school-sponsored educational activities, such as study trips.

(6) Subject to the availability of funds, transportation may be provided to all students participating in cocurricular activities under the conditions established by school authorities.

(a) These are school-sponsored activities designed to provide students the opportunity to participate on an individual or group basis in public events in environments other than the school for enjoyment, motivation, and improvement of skills.

(b) To encourage participation in these voluntary activities, which normally take place after the normal school day has ended and regular school-to-home transportation has terminated, transportation from the school to a limited number of central locations, such as bus or rail terminals or principal housing areas, is authorized as approved by school authorities and subject to the availability of funds.

b. Non-DoD Schools

(1) Students who reside beyond the walking distance of a non-DoD school and who attend at DoD expense shall use transportation provided or arranged by non-DoD schools when it is included as part of the tuition paid.

(2) When a non-DoD school does not provide transportation or the cost of transportation is charged separately, the cognizant DoDDS Regional Director, or designee, in conjunction with the Installation or Community Commander, shall determine the appropriate means of transportation.

(3) Transportation shall be provided for dependent students who are attending non-DoD schools in overseas areas at no expense to the U.S. Government only when such attendance has been approved by the cognizant DoDDS Regional Director.

c. Handicapped Students. Special emphasis shall be placed on meeting the transportation needs of handicapped students. Special transportation services that are prescribed in a student's Individual Education Plan (IEP) by the Case Study Committee (CSC) of the receiving school, or by a Special Education Hearing Officer, or by a court must be provided. Examples of special services which may be required include, but are not limited to, curb-to-curb transportation between the student's residence and the school, establishment of a special bus stop within a designated distance of the student's residence, use of a special safety harness, transportation of a seeing eye or hearing dog, or assignment of a one-on-one attendant, or aide, for dangerous, physically-aggressive students.

(1) Motor vehicles used solely to transport special education students shall be equipped with a seat belt for each passenger.

(2) Motor vehicles transporting more than two special education students or any student for whom a special four-point harness is required must also transport a safety aide who is trained to assist the handicapped.

(3) Motor vehicles used to transport students who normally use wheelchairs shall be equipped with a lifting device or a ramp which can be secured to the vehicle. Approved wheelchair restraining devices shall be installed and used.

6-12. Transportation Resources

a. Students shall be transported at the lowest practical cost. Transportation service must be based upon a thorough analysis and periodic review of student demand, routes, and schedules by the Installation and/or Community Commander in coordination with appropriate DoDDS representatives. Full consideration shall be given to the following:

(1) Staggering school operating hours to permit vehicles to operate multiple trips per day to or from a given school or group of schools.

(2) Altering school organization plans and establishing flexible school boundaries or walking distances to maximize use of transportation resources.

(3) Consolidating school closures for administrative activities (meetings, training, conferences) to avoid half-day sessions and scheduling these activities to coincide with host nations' holidays whenever possible.

(4) Developing routes and schedules to optimize use of equipment and seating capacity, and to reduce total mileage and driving time. Routes and schedules shall be developed based on the actual or projected number of space-required students. Larger capacity vehicles shall not be assigned in order to transport students enrolled in a space-available, nonfederally connected category or those otherwise ineligible to be transported (e.g., space-required students living within the designated walking area of the school).

(5) Seating students in kindergarten through grade 6 on a three-to-a-seat basis, except for front seats, providing the vehicle trip does not take more than 30 minutes.

(6) Using consolidated pickup points.

(7) Maximizing use of part-time employees where possible.

b. Students in grades 7 through 12 shall be required to use regular public or DoD transportation at DoDDS' expense where available, feasible, and cost-efficient.

c. Use of a particular means of transportation for normal daily commuting service does not prevent the use of an alternative means for study trips or cocurricular activities when that means is cost effective, based on extra cost factors such as overtime, mileage, or holidays.

d. Transportation resources shall not be used solely to achieve a balance within DoD schools based upon rank of sponsors.

e. When, because of location, more than one school uses the same vehicle service, the dominant user shall be responsible for consolidating and coordinating requirements, and arranging for transportation services to all schools involved.

f. When more than one installation and/or community provides students to the same school, the dominant military supporting activity shall be required to coordinate all student transportation to the school.

g. Commercial contract vendors shall be used to provide transportation support to DoDDS schools when it is determined to be more economical. Otherwise, military transport, using part-time drivers, shall be used. Comparisons of in-house versus commercial contract transport cost shall be made to determine the most economical means of transport. This analysis shall consider overall cost to the government of providing school bus transportation with DoD vehicles. School busing shall be integrated with other installation passenger transportation functions whenever reasonable to do so. Many of the cost factors, however, will have to be adjusted to fit the needs of handicapped children and the overseas environment, such as different retirement cost factors, other fringe benefits for local national civilian employees, and any other appropriate adjustments. Equipment acquisition costs will be included as a factor in the cost analysis. DoDDS, however, shall not be required to reimburse the Military Service supplier for government-owned equipment, acquisition costs, or amortization of these equipment costs, or for the lease, rental, or other equipment usage costs when the underlying cost analysis has indicated that the leased equipment is less costly than the government-owned equipment. The supporting DoD Component shall perform a comparative cost analysis in accordance with DoD Instruction 7041.3 (reference (hh)) under any of the following circumstances:

(1) When arranging for initial transportation services to a new school or before any change from existing military transportation to contract transportation is made.

(2) When the number of contractors is insufficient to ensure competitive bids for transportation services to schools currently serviced by contract transportation.

(3) When contract bids reflect a significant increase in costs over the previous year's contract.

(4) When requested by the Director or a Regional Director of DoDDS.

h. Installation and/or Community Commanders shall coordinate with the appropriate DoDDS official any significant change proposed to school bus services. The concurrence of the Regional Director, or designee, shall be obtained before implementing any such change. All documentation associated with the provision of school bus services; e.g., cost studies, solicitation packages and amendments thereto, shall be provided to DoDDS upon request.

i. Vehicular equipment used to transport students can, and should be, used for other legitimate transportation needs where feasible, however, not during the transport of students.

6-13. Safety and Security

a. Student Conduct. Installation and/or Community Commanders are responsible for development and enforcement of standards of student behavior aboard school buses. Riding a school bus is a privilege. Should any child be reported for misconduct, corrective action may be taken to include loss of their riding privilege.

b. Safety Reviews. Installation and/or Community Commanders are required to conduct periodic safety reviews of their school buses and of the loading and unloading areas. Contracts with private activities providing school bus service should contain a provision for similar routine safety reviews of contract motor vehicles and services.

c. Contingency Plans. Installation and/or Community Commanders shall work with applicable DoDDS officials to develop and publish contingency plans for transporting students.

d. Safety Attendants, School Bus Monitors, and Security

(1) Safety attendants are authorized for vehicles transporting handicapped students, those enrolled in a DoDDS preschool program, or in kindergarten through grade 2. The primary function of a safety attendant is to ensure that children enter and exit the school bus safely and conduct themselves in a safe manner while on the bus. Normally, only one adult other than the driver shall be assigned to one vehicle. In addition, when English-speaking drivers are assigned to school bus services, safety attendants will not be considered necessary. The DoDDS Regional Director shall provide funds for safety attendants within available resources.

(2) School bus monitors, whose primary function is to maintain good order on the bus, may not be employed by the Department of Defense except where required by host nation statute. Similarly, school bus monitor services shall not be procured by contract.

(3) When the Installation and/or Community Commander deems that local conditions jeopardize the security of some or all school bus services, the Commander may place appropriately trained security personnel aboard those buses. Such personnel will not concern themselves with passenger conduct. DoDDS funds will not be used for this purpose.

6-14. Exceptions. In special situations, a Regional Director of DoDDS may grant exceptions to the commuting area or walking distance criteria after full consideration of circumstances and the evaluation of alternatives. Requests for exception normally shall be initiated by the Community Commander, endorsed by the local principal and the DoDDS District Superintendent, and forwarded to the DoDDS Regional Director containing the following data:

a. Name of school.

b. Reason for waiver request. Include maps, charts and/or photographs where appropriate. When safety considerations are believed to be a factor, include a statement from the responsible Safety Officer.

c. Statement of available alternatives to eliminate or alter the conditions requiring waiver.

d. Number of students involved.

e. Impact of waiver denied.

f. Budgetary impact if waiver is granted.

g. Comments and recommendations from endorsing officials.